

STATE OF MICHIGAN  
IN THE 10TH JUDICIAL CIRCUIT COURT-FAMILY DIVISION  
SAGINAW COUNTY

MELISSA JAYNE CALICE,  
Plaintiff, NO. 12-017215-DZ-1  
-v-  
RICHARD ANTHONY CALICE, JR.,  
Defendant.

DEPOSITION  
OF  
MELISSA CALICE  
820 North Michigan Avenue  
Saginaw, Michigan  
June 27, 2014  
10:11 a.m.  
REPORTER: Christine M. Caudill, CSR, RMR

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EXHIBIT NO. MARKED  
None marked.

## APPEARANCES:

## FOR THE PLAINTIFF:

BURKHART, TIDERTON & MCLEOD, PLLC,  
By: Timothy R. McLeod, (P29880),  
820 North Michigan Avenue  
Saginaw, Michigan 48608

## FOR THE DEFENDANT:

DEMETRIOU & ASSOCIATES, P.C.  
By: Thomas J. Demetrio, (P12663),  
3262 Cabaret Trail, Suite 206  
Saginaw, Michigan 48603

\*\*\*MELISSA CALICE,\*\*\*

A witness herein, being first duly sworn,  
testified under oath as follows:

EXAMINATION

BY MR. DEMETRIOU:

Q. Good morning, Mrs. Calice. How are you?

A. Fine. You?

Q. Fine, thank you. When we last ended, to refresh your memory, we were talking about the issue of joint legal custody and whether or not you understood what that entailed. Do you think you understand what that means?

A. Without a law degree, I think from layman's terms, yeah.

Q. What does it mean to you?

A. Education, medical.

Q. Education?

A. Uh-huh, yeah.

Q. That what?

A. We would both - we are to have input and make those choices together.

Q. And to make them, you talking to him, he's talking to you or whatever, however you communicate?

A. With the communication pattern - with the give and take and healthy communication pattern, we could work out what we would want for our kids.

1 Q. So you understand before you make any major medical  
2 decision, Tony, under the law, is entitled to give you  
3 his input and make a joint decision? You understand  
4 that's what that – what joint legal custody means?

5 A. Sure.

6 Q. Okay. And you already indicated in your last  
7 deposition on June 5<sup>th</sup> that you made many of these  
8 decisions without Tony's input; correct?

9 A. I consistently opened up communication to him from  
10 January of 2013, and it's apparent – it was apparent  
11 to me that there was no communication. There was no  
12 give and take on communication, so I did some things –  
13 yeah. Will you say that again, ask me the question  
14 back?

15 MR. DEMETRIOU: Could you read the  
16 question back?

17 THE REPORTER: Question: Okay. And you  
18 already indicated in your last deposition on June 5<sup>th</sup>  
19 that you made many of these decisions without Tony's  
20 input; correct?

21 THE WITNESS: No, I knew what his input  
22 was.

23 BY MR. DEMETRIOU:

24 Q. Before you made the – I'm asking you, before you made  
25 a decision, did you tell him this is what I'm thinking

1 of doing, this is what I think Rocco needs or Mia  
2 needs?

3 A. Sure.

4 Q. What do you think about it? I'm talking about before  
5 you made any decisions for the children, did you call  
6 him, tell him you were about to, and ask him whether he  
7 agreed or disagreed?

8 A. Not every single time, but –

9 Q. Well, with regard to any of these doctors, like  
10 Pfander, Dr. Jafferany, Dr. Khan, the people at the  
11 psychological –

12 A. Sure.

13 Q. Did you tell Tony before?

14 A. I can't recall.

15 Q. I'm sorry, what?

16 A. I can't recall –

17 Q. You can't recall?

18 A. – If it was before, but I know that I have  
19 communication between Tony and I talking about Robin  
20 Fenlon at List. I have communication with Tony and I  
21 talking about Dr. Khan. I have communication with me  
22 letting Tony know that I was concerned about ADHD. I  
23 have communication between Tony and I – actually, Tony  
24 and Pfander, Dr. Pfander. He knew about all this.

25 Q. My question is before.

1 A. I can't recall.

2 Q. Before you made these decisions, did you call Tony to  
3 get his permission or tell him what you wanted to do?

4 A. Permission?

5 Q. To come to a joint decision?

6 A. Permission?

7 Q. Yeah, permission.

8 A. No, I didn't call to get his permission.

9 Q. You did whatever you thought was necessary for the  
10 children from a medical point of view?

11 A. I'm not a doctor.

12 Q. You've got to answer the question. I didn't ask if you  
13 were a doctor. Answer the question. Could you read  
14 the question back?

15 THE REPORTER: Question: You did  
16 whatever you thought was necessary for the children  
17 from a medical point of view?

18 THE WITNESS: I'll always do whatever I  
19 think is necessary for my children from a medical point  
20 of view.

21 BY MR. DEMETRIOU:

22 Q. The answer is yes?

23 A. The answer – ask me the question one more time.

24 THE REPORTER: Question: You did  
25 whatever you thought was necessary for the children

1 from a medical point of view?

2 THE WITNESS: Uh-huh, yep.

3 BY MR. DEMETRIOU:

4 Q. And the question I'm now asking is, you did this  
5 without telling Tony in advance or getting his  
6 permission to do what you ultimately did for the kids;  
7 is that correct?

8 A. Well, we're talking about a lot of different times.

9 They've been here for two years, so I can't give you an  
10 answer yes or no to that. I don't know.

11 Q. Well, the last time we were here, on page 71, I said,  
12 "Do you feel you have an obligation to talk to Tony  
13 about the treatment and choice of doctors before you  
14 actually hire the doctors to render treatment?" And  
15 you said, "Yeah, in a helpful, rational relationship  
16 that would make sense, but I am in survival here with  
17 these kids dealing with that man, and that makes the  
18 rules differently, it makes things different." What  
19 did you mean by that?

20 A. I don't really know.

21 Q. I'm sorry?

22 A. I don't really know.

23 Q. You don't know, okay. And I said to you, "In other  
24 words, you feel you had justification for violating the  
25 joint custody?" And your answer was, "I did what was

- 1 right for my son."  
 2 A. I'll always do what is right for my son.  
 3 Q. My question is, "You feel you were justified in  
 4 violating" – and at that point you interrupted and  
 5 said, "I did what was right for my son." So, same  
 6 question, did you feel that you had the right to make a  
 7 decision and then tell Tony after?  
 8 A. Well, I was following doctors' orders.  
 9 Q. The doctor told you to do things without talking to  
 10 your husband first?  
 11 A. No, administering medication.  
 12 Q. I'm sorry?  
 13 A. Administering the medication.  
 14 Q. That wasn't what I asked you.  
 15 A. I know. Your questions are confusing me.  
 16 Q. Okay. So sorry. Could you read back the question,  
 17 I'll see if I can simplify it?  
 18 MR. MCLEOD: I'm going to state for the  
 19 record if we have these snide comments much more, we're  
 20 going to end this deposition.  
 21 THE WITNESS: How many –  
 22 MR. MCLEOD: Listen to Mr. Demetriou and  
 23 try to answer.  
 24 THE WITNESS: I'm trying to answer his  
 25 questions.

- 1 MR. MCLEOD: Just listen.  
 2 MR. DEMETRIOU: Mr. McLeod, I'm not  
 3 trying to embarrass or intimidate the witness. I think  
 4 she's being evasive, and I will keep repeating the  
 5 questions if she says she doesn't understand.  
 6 MR. MCLEOD: I understand that.  
 7 MR. DEMETRIOU: I find her to be a very  
 8 bright person.  
 9 MR. MCLEOD: The snide comments are what  
 10 concerns me. That's all.  
 11 MR. DEMETRIOU: Okay. Would you read  
 12 the question back?  
 13 THE REPORTER: Question: The doctor  
 14 told you to do things without talking to your husband  
 15 first?  
 16 THE WITNESS: The doctor did not tell me  
 17 to do things without talking to my husband first.  
 18 BY MR. DEMETRIOU:  
 19 Q. But you did do things medically, chose doctors,  
 20 selected treatment, and not tell or ask Tony's  
 21 permission beforehand; correct?  
 22 A. Uh-huh.  
 23 Q. What does that mean, uh-huh. Yes?  
 24 A. Ask me a question again.  
 25 Q. Is that yes?

- 1 A. I don't know, ask me a question again.  
 2 Q. I asked you a question, you said uh-huh.  
 3 A. I recant it. There's a lot to that. I'm not saying  
 4 yes to all of it.  
 5 MR. DEMETRIOU: Could you read the  
 6 question back again?  
 7 THE REPORTER: Question: But you did do  
 8 things medically, chose doctors, selected treatment,  
 9 and not tell or ask Tony's permission beforehand;  
 10 correct?  
 11 THE WITNESS: Yes.  
 12 BY MR. DEMETRIOU:  
 13 Q. And the last question I asked you last time is, "Do you  
 14 feel you have the superior right to make decisions for  
 15 these two kids?" You answered, "I don't understand the  
 16 question." I asked the court reporter to repeat it  
 17 back and at that point we stopped the deposition, so  
 18 you didn't answer. I'll ask the question again. Do  
 19 you feel you have the superior right to make a medical  
 20 decision for these children?  
 21 A. No.  
 22 Q. Do you still have Dr. Khan as the children's  
 23 pediatrician in Michigan?  
 24 A. If he'll work with us.  
 25 Q. I'm sorry?

- 1 A. If he'll work with us, yes.  
 2 MR. MCLEOD: The question was, is he  
 3 involved with the children right now?  
 4 THE WITNESS: Yes.  
 5 BY MR. DEMETRIOU:  
 6 Q. Okay. Recently, something happened to Rocco's foot and  
 7 you had to take him to the Redi-Med?  
 8 A. Uh-huh.  
 9 Q. What happened?  
 10 A. Well, it was a Sunday and it – it just looked funky,  
 11 like it was red and puffy, and it appeared to hurt. My  
 12 daughter also had a splinter, so I, you know, they're  
 13 going to the dad at the end of the week, I wanted to  
 14 make sure that, you know, they got whatever medical  
 15 treatment they needed. So I took them to MedExpress or  
 16 Redi-Med out on State Street, and she looked at the toe  
 17 and she said, "Yeah, it's infected," and she gave me  
 18 antibiotics. And then Mia had a splinter, it was a big  
 19 splinter, it was awful getting it out. It was quite an  
 20 ordeal.  
 21 Q. Okay. And what did – so this was a doctor or a nurse  
 22 at the Redi-Med?  
 23 A. He was a doctor.  
 24 Q. Okay. And they gave you some medicine, that was  
 25 liquid, pink liquid. I believe I saw the bottle the

- 1 last time we were together; correct?
- 2 A. Uh-huh.
- 3 Q. All right. And you obviously did the right thing in
- 4 taking the kids there, but when that happened, did you
- 5 tell Tony that you had been at the Redi-Med?
- 6 A. I don't know.
- 7 Q. Okay. Then the -- you two exchanged the kids at a
- 8 ballgame on Friday, whatever?
- 9 A. The 13<sup>th</sup>.
- 10 Q. The 13<sup>th</sup>, okay. And you had the medicine with you?
- 11 A. Uh-huh.
- 12 Q. Correct?
- 13 A. Well, in Rocco's bag, yeah.
- 14 Q. And you didn't give it to Tony; is that correct?
- 15 A. Well, I was sitting next to my mother-in-law, they came
- 16 to the game on time, and so I sat -- they were there
- 17 for the duration of the game, and I sat next to Ann and
- 18 I was just, you know, trying to make pleasantries to each
- 19 other. I'm aware this woman is going to be part of
- 20 helping with my kids for the next eight weeks. I told
- 21 her about the antibiotic, the directions on it, it
- 22 needs to stay cold. Does that answer your question?
- 23 Q. Yes. Thank you. Did you tell Tony what you told Ann
- 24 Calice, your mother-in-law?
- 25 A. No.

- 1 Q. Did you see him at the ballgame?
- 2 A. I saw him. He was there about ten minutes, yeah.
- 3 Q. Did you talk to him at the ballgame?
- 4 A. No.
- 5 Q. Why?
- 6 A. I don't know. Let me take it back. I did, I did.
- 7 Q. You did?
- 8 A. Like when he walked up, I don't -- I don't want the
- 9 kids to -- I don't want the kids to know how I feel
- 10 about their father. They need to be protected from
- 11 that. So, when he walked up, I said, "Look who's here,
- 12 daddy's here." Mia wanted to hug him and she wanted to
- 13 do a three-way hug. I tried to do a three way-hug, he
- 14 wouldn't participate. I guess I acknowledged him. I
- 15 wouldn't catch up or talk about our favorite music or
- 16 anything.
- 17 Q. Ms. Calice, Tim and I are going to be gone from this
- 18 case pretty soon. I think everybody in this room
- 19 agrees you have --
- 20 MR. MCLEOD: You're an optimist.
- 21 BY MR. DEMETRIOU:
- 22 Q. You have two beautiful children.
- 23 A. Beautiful, wonderful children.
- 24 Q. You guys jointly, I'm going to say this, had to do
- 25 something right. You've got a bright boy with a high

- 1 IQ, I'm sure your daughter's just as smart. You're
- 2 intelligent, your husband's intelligent, you're
- 3 intelligent. I don't understand why you guys can't
- 4 talk.
- 5 A. I know. You don't have all the information,
- 6 Mr. Demetriou.
- 7 Q. Give it to me. Tell me.
- 8 A. You don't see the way he talks to me and treats me.
- 9 You don't. What he says, every nasty thing he could
- 10 possibly say to me he says to me. I have suspicions
- 11 that he's broken HIPAA and looked at my medical records
- 12 and has said stuff to me on text messages about my
- 13 medical records.
- 14 Q. To you?
- 15 A. To me, to me.
- 16 Q. What records does he have of yours?
- 17 A. He's had exposure to some information that he shouldn't
- 18 have.
- 19 Q. Of your treatment, of your treatment, your medical
- 20 care?
- 21 A. He hands out my DSM diagnosis to people. That's
- 22 breaking HIPAA.
- 23 Q. Give me a specific. What -- so some doctor -- he got
- 24 ahold of some doctor's records?
- 25 A. Yes. When I left Maryland, I'm probably going to talk

- 1 too much, but when I left Maryland, there was -- I have
- 2 it somewhere, but it's a bill from the insurance, all
- 3 right?
- 4 Q. Okay.
- 5 A. When I went in to see John Goodman for the ADHD eval.,
- 6 and he had my DSM diagnosis, which is panic,
- 7 depression, and ADHD.
- 8 Q. That was on the bill?
- 9 A. It was submitted.
- 10 Q. On whose insurance was it submitted?
- 11 A. Mine.
- 12 Q. On yours? How would he see the -- how would he see the
- 13 bill?
- 14 A. I don't know. He found it in Maryland.
- 15 Q. He found it in Maryland?
- 16 A. Yeah. He gave that to Sandy Pfander. He shows that
- 17 around to people. He knows about HIPAA. You don't
- 18 show somebody's DSM diagnosis around.
- 19 Q. You didn't treat with Dr. Pfander, did you.
- 20 A. No. The kids.
- 21 Q. So you've never treated with her?
- 22 A. She wanted to talk to the parents, I went in for a
- 23 consult.
- 24 Q. I don't mean that. Did she --
- 25 A. Give me treatment? No, no.

- 1 Q. She did not take a medical history from you or  
2 whatever?  
3 A. No, no. She worked with the kids.  
4 Q. He shouldn't have told –  
5 Q. He shouldn't have told Dr. Pfander –  
6 A. I got off on a tangent. There have been so many things  
7 that have happened, that I do not trust him. I've seen  
8 the way he parents and acts around the children, it  
9 makes me sick to my stomach. You don't have all the  
10 information, Mr. Demetriou. And I want to communicate  
11 with him, and I've tried and I've tried, and I've  
12 tried, and it – all I'm doing is opening myself up to  
13 be verbally abused by him and to have him take one tiny  
14 bit of something I've said and try to spin it into  
15 something else. I try. I have tried. I am a  
16 communicator. I want to understand. I want to be  
17 understood. That's what I want.  
18 Q. Okay. But going forward, Mr. McLeod and I are happy  
19 that you both have agreed to see Michelle.  
20 A. Let's do it.  
21 Q. I understand you've been to see her?  
22 A. Yes.  
23 Q. Once, twice, three times?  
24 A. Once. She's got like a great vibe and, hopefully, she  
25 can –

- 1 Q. Okay. So your point in going there is so you guys can  
2 learn and agree to communicate or learn how to  
3 communicate?  
4 A. Yes.  
5 Q. Won't that include talking on the phone, won't that  
6 include e-mails?  
7 A. When I know that he is not going to be verbally and  
8 emotionally abusive to me and just – I mean, I'm  
9 married to this man seven years. He likes to mess with  
10 people. Right now, he's messing with me. I can tell  
11 when he's doing it. When I know that's not going to  
12 happen, and I can trust that he's going to actually  
13 communicate, not just give me orders, tell me what I've  
14 done wrong and tell me what's wrong with me, I'm  
15 completely open and ready to co-parent these children.  
16 He's got to let go of his anger, Mr. Demetriou. He's  
17 got to let go of his anger.  
18 Q. I can't help with that. I can't help you with your  
19 attitude. Neither can Mr. McLeod.  
20 A. Mine is a reaction to that. I swear to God, mine is a  
21 reaction to that. It's about self-protection and about  
22 protecting me and the kids. He's so angry.  
23 Q. About what?  
24 A. I don't know. I'm not in his head. And I'm sorry, I'm  
25 sorry this has happened, Tony, I really am.

- 1 Q. Okay. You have had the first evaluation of Rocco being  
2 ADHD from the studies done by Dr. Pfander? Was that  
3 the first one?  
4 A. The diagnosis, yeah.  
5 Q. Okay. And then she recommended trying medication and  
6 then other things?  
7 A. Uh-huh.  
8 Q. Correct?  
9 A. Uh-huh.  
10 Q. Okay. That's a yes, right?  
11 A. Yes.  
12 MR. MCLEOD: Speak up.  
13 THE WITNESS: Yes, yes.  
14 MR. MCLEOD: So that lady can hear you.  
15 THE WITNESS: Yes. I'm sorry.  
16 BY MR. DEMETRIOU:  
17 Q. Rocco doesn't have what they call an IEP, does he?  
18 A. No, no.  
19 Q. All right. So –  
20 A. He's not receiving special ed. services. He doesn't  
21 have a 504, he doesn't have an IEP.  
22 Q. Okay. Thank you. Have any of Dr. Pfander's other  
23 recommendations been put in place for Rocco?  
24 A. Sure.  
25 Q. Give me an example.

- 1 A. Consistent routines.  
2 Q. Okay.  
3 A. Consistent time to go to bed and good sleep and, oh,  
4 gosh, what else? During that consistent time and  
5 place, you know, like day – when it comes to the  
6 studying, that we know that he needs like – they're  
7 called sensory breaks. He needs sensory breaks. He  
8 needs to get up and move around a little bit, 15  
9 minutes tops. I'm not going to make that kid sit there  
10 for three hours and do something. That would be like  
11 torturing him. So, you know, a snack, get up and walk  
12 around, go wash your hands, just the water – so  
13 sensory breaks.  
14 Q. You don't suspect Mia has ADHD?  
15 A. No.  
16 Q. No? Okay. And did you give Rocco all the Adderall  
17 that was prescribed by Dr. Khan?  
18 A. No.  
19 Q. Okay. Did you give Rocco all the other drug –  
20 A. Strattera.  
21 Q. Did you give him all of that which was prescribed?  
22 A. No.  
23 Q. Did you give – by the way, the last person you went  
24 to –  
25 A. Jafferany.

- 1 Q. What is it?
- 2 A. Jafferany.
- 3 Q. You testified last time that he was the one that
- 4 prescribed the last drug?
- 5 A. Well –
- 6 Q. Correct? It wasn't Dr. Khan?
- 7 A. Dr. Khan prescribed the Adderall. We did the Adderall,
- 8 and he expressed that dad was upset about a stimulant
- 9 medication. He said, "Let's switch to Strattera."
- 10 Strattera is a non-stimulant, so appetite is not going
- 11 to be an issue with that. So we switched to Strattera.
- 12 Dr. Khan was hoping that Tony would hear that we
- 13 switched to Strattera. This was third person, I wasn't
- 14 on the phone listening to Dr. Khan and Tony, but
- 15 according to Dr. Khan, Tony had an issue with the
- 16 stimulant medication. So, okay, let's try this, maybe
- 17 this will make him happy. Maybe he'll let his son
- 18 alone and do well in first grade.
- 19 Kahn administered or prescribed the
- 20 Strattera. After Tony called back again and screamed
- 21 at the staff and Dr. Khan, Dr. Khan described putting
- 22 the phone down and walking away. And then Dr. Khan was
- 23 subpoenaed. He called me and said the same thing –
- 24 Q. Who told you that Tony was screaming at Dr. Khan?
- 25 A. Oh, his nurses, every time I go in there, they know

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- 1 exactly who I am. How's it going, how's the divorce?
- 2 I'm like, "pretty crappy". And they remember – they
- 3 know exactly who Tony is, because Tony called and
- 4 screamed at the nurse. But I didn't finish.
- 5 Jafferany –
- 6 Q. Go ahead.
- 7 A. Dr. Jafferany, Dr. Khan said I'm not going to be – he
- 8 didn't say I'm not going – I'm going to send you to
- 9 Dr. Jafferany for the ADHD medicine, which I found very
- 10 disappointing. I feel like Dr. Khan has a duty to
- 11 treat, and he got bullied and backed down when he – in
- 12 my opinion, this is just my opinion, he has a duty to
- 13 treat Rocco. He will continue to treat Rocco for all
- 14 the other kid stuff, but as far as the ADHD, he sent –
- 15 he sent our file over to Dr. Jafferany and got us – he
- 16 did like a professional courtesy call to Jafferany and
- 17 got us in that next week.
- 18 Q. Okay.
- 19 A. That was not me choosing Jafferany, I was pissed we
- 20 were going to Jafferany.
- 21 Q. You would admit when you did go to Jafferany, you
- 22 didn't tell Tony before you did it you were going.
- 23 A. I don't know. It's all on Family Wizard, I don't know.
- 24 It's there somewhere. No, I think it was the day we
- 25 went maybe. I don't know. I know I told him, but then

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- 1 Tony was being a jerk about, who is it, what's his
- 2 name? Just look it up, my God. That went on for a
- 3 month, just being silly and wasting time.
- 4 Q. How would you feel if the situation were reversed, you
- 5 wanted to stay in Maryland, he took off, didn't tell
- 6 you he wasn't coming back, he comes to Michigan, goes
- 7 to Royal Oak or whatever to be near his family, and
- 8 makes medical decisions and doesn't tell you until
- 9 after the fact? Would you be happy with that?
- 10 A. That is too complex to give a yes or no to. I'm not
- 11 being evasive, I'm not being a jerk. This is on the
- 12 record, that is too complex for me to give a yes or no
- 13 to.
- 14 Q. Okay. This is way off the subject, but the title to
- 15 the vehicle, has that been switched over yet?
- 16 A. Yeah, yeah.
- 17 Q. Because you had a couple of tickets, parking tickets or
- 18 something?
- 19 A. I apparently had a ticket.
- 20 Q. Before the title was transferred?
- 21 A. That is what we found out.
- 22 Q. What –
- 23 A. It's not something I knew about.
- 24 Q. When did you transfer the title?
- 25 A. Last month, May.

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- 1 Q. Okay. I want to go over our motion to show cause and
- 2 ask you some questions based on your answer. I think
- 3 you've already testified, Ms. Calice, you believed
- 4 Rocco was ADHD and so you sought out a diagnosis. You
- 5 wanted him to be evaluated for that; correct?
- 6 A. Yes.
- 7 Q. And do you admit that you didn't tell Tony beforehand
- 8 that you were going to do this?
- 9 A. No.
- 10 Q. You don't admit that? You told him you were going to
- 11 before you did it?
- 12 A. The subject on January 28<sup>th</sup>, 2013.
- 13 Q. You did what?
- 14 A. I said – it was the 29<sup>th</sup>. Rocco's – this is me
- 15 saying, "Rocco's inattentive and impulsivity are
- 16 becoming an issue. I'd like to ask the school to
- 17 evaluate him for attention issues. Don't say anything
- 18 about it to Rocco yet."
- 19 Q. Okay.
- 20 A. That is me trying to co-parent.
- 21 Q. What did he do in response to that?
- 22 A. He said –
- 23 Q. What did Tony do?
- 24 A. He said, "Rocco has a broken home. It is
- 25 understandable that he will suffer in school because of

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- 1 it. Do not put my son on drugs. He is perfectly fine  
 2 and normal. I don't want him to end up like you,  
 3 taking a fist full of crazy pills and growling at  
 4 Friend of the Court interviews. He's an amazing boy,  
 5 there's a long line of teachers in Maryland that would  
 6 say the same thing."  
 7 Q. Okay. What was the date of that response?  
 8 A. Same day.  
 9 Q. Okay. So then you did get the prescription for  
 10 Adderall from Dr. Khan?  
 11 A. A year later.  
 12 Q. You gave it to –  
 13 A. Thirteen months later.  
 14 Q. You gave it to Rocco without telling Tony in advance?  
 15 A. No, I told him I was going to do it.  
 16 Q. In advance?  
 17 A. I said Rocco – it's in here, too. Let me see if I can  
 18 find it.  
 19 Q. Let me rephrase the question. You wrote him and said  
 20 you were going to give him Adderall and he wrote back  
 21 the same day within four minutes and said "Don't do  
 22 it."  
 23 A. I know we talked on the phone, too.  
 24 Q. And you did it anyway?  
 25 A. I know we talked on the phone around that time, too,

- 1 because I went into the bathroom and I said Rocco has  
 2 the doctor – the doctor's given him a prescription for  
 3 medication to treat the ADHD. And he started screaming  
 4 at me and saying nasty things to me, and I hung up the  
 5 phone. I think that might have been the last time I  
 6 talked to him on the phone.  
 7 Q. You advised him, according to your pleadings here, in  
 8 your answer to Tony's motion, you e-mailed him on  
 9 March 3<sup>rd</sup>, 2014?  
 10 A. Yeah.  
 11 Q. And then the same day, Tony e-mailed you back and said  
 12 "Don't do it. I don't give you my permission to do  
 13 that at this point."  
 14 A. He said, "Thank you for telling me about this. Do not  
 15 give Rocco ADHD medicine. You do not have my consent.  
 16 Both Rocco's teachers, Lisa Morford and Great Lakes  
 17 Psychology, believe that ADHD medicine is  
 18 inappropriate." Both of those statements are  
 19 completely untrue.  
 20 Q. Going back to my question, then you did give him the  
 21 medicine even though you knew Tony objected?  
 22 A. I followed the doctor's orders, correct.  
 23 Q. Did you – the answer is yes?  
 24 A. I followed the doctor's orders, yes.  
 25 Q. Okay.

- 1 A. Multiple doctors' orders, yes. Yep. And it worked.  
 2 Q. And for how long did Rocco take Adderall?  
 3 A. I don't know for sure, but it was like maybe a couple  
 4 of weeks.  
 5 Q. And then he was switched over to another drug?  
 6 A. Strattera, which is a non-stimulant?  
 7 Q. How long did he take that?  
 8 A. He took it from – he took it a little bit before he  
 9 went to spring break with his dad, and then – that's  
 10 not true. He took it starting when he came back from  
 11 spring back with his dad, so that April – two months.  
 12 Q. Okay.  
 13 A. And it worked amazingly. His report card reflects  
 14 that, behavioral data reflects that. Him talking about  
 15 himself and his comfort in his own skin reflects that.  
 16 It worked. And he's going back on it when he comes  
 17 home.  
 18 Q. Even if your husband doesn't agree.  
 19 A. As long as I have a medical diagnosis and I have  
 20 doctors give me a prescription, absolutely.  
 21 Q. So you think that's what you're going to do even though  
 22 the law is going to require you guys to agree on that?  
 23 You're going to do it anyway?  
 24 A. They can sit down and help us. I mean, at this point,  
 25 like somebody needs to help us. I'm going to do what's

- 1 in the best interest of Rocco and Mia.  
 2 MR. MCLEOD: I think Mr. Demetriou and I  
 3 are both – hopeful is too weak of a word, that  
 4 Michelle Fugle is going to help you find some common  
 5 ground. Otherwise, I've talked to you before, and I'm  
 6 sure Mr. Demetriou has talked to Mr. Calice. We're  
 7 going to be back in Borchard's court.  
 8 THE WITNESS: Well, that's a waste of  
 9 time. I know Tony – a lot of times dad's don't agree  
 10 to this. You know, dad's don't agree to it. What they  
 11 do is, you do what you do at dad's house, and then you  
 12 do what you do at mom's house. If you don't want to  
 13 administer the medication prescribed to him –  
 14 BY MR. DEMETRIOU:  
 15 Q. That's not the way it works, because I think your  
 16 doctors will tell you, you can't start and stop this  
 17 stuff. I don't know Strattera, but –  
 18 A. Sure you can. Kids go off it in the summer all the  
 19 time.  
 20 Q. They do?  
 21 A. Yeah.  
 22 Q. They're only medicated to help teachers maintain the  
 23 control in the classroom; right?  
 24 A. That's a very small way of looking at it. I don't know  
 25 what your research is basing that on, except an old

- 1 opinion. Not that you're old.  
 2 Q. I am old.  
 3 A. I didn't mean that.  
 4 Q. In any event, the research I've done is that children  
 5 in America, especially young boys, are over-medicated  
 6 with things like Adderall?  
 7 MR. MCLEOD: If you two want to have a  
 8 dialogue.  
 9 THE WITNESS: I don't care what he  
 10 thinks. He's trying to poke me. This is what I do for  
 11 a living, and I have a Master's degree in, but you go  
 12 ahead and have your opinion.  
 13 BY MR. DEMETRIOU:  
 14 Q. By the way, what do you do in your current job? What  
 15 exactly do you do, now that we're on the subject?  
 16 A. Run around like a crazy person putting out fires,  
 17 basically.  
 18 Q. Do you have to make in-home visits? What do you do?  
 19 A. No, no, no.  
 20 Q. No?  
 21 A. I don't want to do that again.  
 22 Q. What do you do?  
 23 A. I have a caseload of about 30 IEP students, and then I  
 24 have a caseload of probably like ten, 15, 31 (A)  
 25 students, and then if somebody's in crisis, I'll see

- 1 them. Anytime there's a crisis, I get called in.  
 2 Q. What ages are these kids?  
 3 A. Kindergarten to eighth grade.  
 4 Q. I'm sorry?  
 5 A. Kindergarten to eighth grade.  
 6 Q. What do you do, act like as a counselor, or do you do  
 7 evaluations? What do you do?  
 8 A. All of it, yeah.  
 9 Q. And then what – when you make a recommendation, what  
 10 happens?  
 11 A. Recommendation to what?  
 12 Q. Well, you said you evaluate kids.  
 13 A. Evaluate, I don't diagnose. In – the tools that I use  
 14 are not diagnostic, but they are empirically based  
 15 hugely researched tools like the Connors or the AVAST  
 16 (ph.) that we took. What those are saying is like  
 17 looking at different behaviors and saying if they're in  
 18 an average range, yeah, that's what kids do, or  
 19 borderline range or in a clinical range, but it's not  
 20 diagnostic.  
 21 Q. Borderline?  
 22 A. Borderline clinical.  
 23 Q. Needing help?  
 24 A. That most likely there's some issues there that are  
 25 going to need some attention, yeah.

- 1 Q. Okay. Thank you. And you're currently earning about  
 2 \$44,000?  
 3 A. Oh, Lord in heaven, I am not making \$44,000. No.  
 4 Q. What are you earning?  
 5 A. About \$40,000.  
 6 Q. Do you have a pension?  
 7 A. No, it's a charter school.  
 8 Q. Do you have a 401(K)?  
 9 A. Yes.  
 10 Q. Have you been contributing to it?  
 11 A. Minimally.  
 12 Q. Do you know how much is in there right now?  
 13 A. Maybe a couple hundred bucks. I need to bump it up  
 14 probably.  
 15 Q. The vehicle that you're driving is the Cadillac SUV  
 16 that you had before you went to Maryland; correct?  
 17 A. (Nods head).  
 18 MR. MCLEOD: You have to answer.  
 19 THE WITNESS: Yes.  
 20 BY MR. DEMETRIOU:  
 21 Q. Just before you left, Tony took some money from  
 22 somewhere and paid it off so you don't have a lien;  
 23 correct?  
 24 A. Correct.  
 25 Q. No lien?

- 1 A. No lien.  
 2 Q. And do you know whether this is true or not, that at  
 3 the time you left, Tony had \$24,000 in his 401(K)? Are  
 4 you able to –  
 5 A. I don't know anything about that.  
 6 Q. Okay. So you don't know how much is in there now then?  
 7 A. Well, they said 57 last week in Denise's office.  
 8 Q. Okay. And then I think we talked about this before,  
 9 but the student loans, you've indicated that it's over  
 10 a hundred thousand that was taken out over the period  
 11 of time?  
 12 A. Whatever we figured out when we were sitting here last  
 13 time. We agreed to that.  
 14 Q. And you said something about Tony may have taken some  
 15 of that student loan money and paid taxes with it?  
 16 A. Yeah, he did.  
 17 Q. Do you know how much?  
 18 A. No.  
 19 Q. How do you know that he did that?  
 20 A. Because he said I'm going to take some money and pay  
 21 off these taxes in like – it would have been like  
 22 January of 2011, and then I think again in the spring,  
 23 because he was paying his quarterly taxes.  
 24 Q. You don't know how much?  
 25 A. I think it was around like maybe one or \$2,000.

- 1 Q. Each time?
- 2 A. Yeah.
- 3 Q. Each time? Okay. And then the money that you got from
- 4 the student loans, first, I'm trying to understand the
- 5 mechanics, it first went to Wayne State?
- 6 A. (Nods head). Yes. I'm sorry, yes. Paid off my
- 7 classes.
- 8 Q. They would keep out what you needed for your classes?
- 9 A. Yes. They would take that. And the disbursement would
- 10 be whatever was left over. That would go into my bank
- 11 account.
- 12 Q. You would get that?
- 13 A. We as a family would get that. That was out of the
- 14 bank account I used to pay just to run the house,
- 15 groceries and Target.
- 16 Q. At that time you did that, how many bank accounts did
- 17 you guys have?
- 18 A. Oh, Lord. We started doing that in 2007 did we figure,
- 19 so it would have been, I don't know, I always had my
- 20 PNC account. We got another PNC, he had other
- 21 accounts.
- 22 Q. Were any of these savings accounts?
- 23 A. I don't think so.
- 24 Q. So you had more than one PNC account?
- 25 A. Yes.

- 1 Q. Your student loans always went to the same account?
- 2 A. The one I worked out of.
- 3 Q. The one you worked out of?
- 4 A. Yes.
- 5 Q. What was the other PNC account for?
- 6 A. For him, the one he worked out of. There are two
- 7 checking accounts. I worked out of one, he worked out
- 8 of the other. Eventually, there was one for Calice
- 9 Consulting that I think we opened up at the PNC in
- 10 Royal Oak, I think, I'm not perjuring myself, I think
- 11 we opened that up at the Royal Oak LaFayette, behind
- 12 the Royal Oak Music Theater. I don't know if my name's
- 13 on there or not, I assume it was.
- 14 Q. The documents that Mr. McLeod provided us, those are
- 15 the only records that you have?
- 16 A. Oh, yeah.
- 17 Q. Relating to the student loan money?
- 18 A. Oh, yep, that's it.
- 19 Q. Okay.
- 20 A. I'm not a super great record keeper.
- 21 Q. You're saying you didn't get this money all in one
- 22 year, you got it over several years?
- 23 A. We saw that, remember?
- 24 Q. Right. And then every year you did that, all the money
- 25 went into the same PNC account?

- 1 A. Uh-huh.
- 2 Q. And so going back, do you have the bank records going
- 3 back to when you start getting this money to show what
- 4 you did with the student loan money?
- 5 A. No. We had it from 2009 on, because they didn't have
- 6 it available to us after that -- earlier than that,
- 7 before that. I think we have like 2009.
- 8 Q. Okay.
- 9 A. Or maybe just 2010 forward.
- 10 Q. When we were in court one of the last times, Mr. McLeod
- 11 on your behalf said that Tony didn't send you all the
- 12 things that you were supposed to get. I'm not going to
- 13 really get into that right now, because we're hoping
- 14 Mr. Bach can help us with that, but he said a lot of
- 15 what Tony sent you was junk.
- 16 A. Junk.
- 17 Q. Like what? Give me an example, what was junk?
- 18 A. Let me back it up by saying I just wanted the stuff
- 19 from that list, and then he was told to give me the
- 20 stuff from that list, not a bunch of extra crap, so --
- 21 like mattresses.
- 22 Q. You didn't want those?
- 23 A. No. I didn't need two twin mattresses in my 1,400
- 24 square foot house. Let me think. Mattresses, broken
- 25 pictures of us, just stuff that people who are angry

- 1 do. Lots of like one shoe. Lots of one shoe. Just --
- 2 just nuisance, like oppositional little things.
- 3 One basket and then a broken basket.
- 4 The one that we still talk about in my family is the
- 5 box of like crumpled up tubes of Christmas paper and
- 6 like all of this -- in our condo in Maryland, like one
- 7 room I had all the wrapping paper and all that stuff,
- 8 just like -- just like, you don't need to put that in a
- 9 U-Haul. You don't need to cart that across town just
- 10 to claim your numbers.
- 11 Q. You know men are horrible with wrapping paper, don't
- 12 you?
- 13 A. So you say. I think it's you don't want to wrap.
- 14 MR. MCLEOD: I think I've represented to
- 15 Mr. Demetriou, tell me if I was wrong, when Mr. Calice
- 16 brought that U-Haul, I think it was shortly after Bill
- 17 Brisbois was involved, did you video the stuff coming
- 18 off?
- 19 THE WITNESS: Yes. I have videos of the
- 20 U-Haul. Most recently was the U-Haul and I just took
- 21 that to work and let the poor people have it all.
- 22 MR. MCLEOD: The first time --
- 23 THE WITNESS: The first time, it was the
- 24 big truck.
- 25

1 BY MR. DEMETRIOU:

2 Q. Right.

3 A. And there was tons of stuff.

4 MR. MCLEOD: Did you video that  
5 unloading so Mr. Demetriou can have that?

6 THE WITNESS: Yeah.

7 BY MR. DEMETRIOU:

8 Q. Most of what you wanted was in that moving truck?

9 A. About half. Mr. Demetriou, there was a ton of other  
10 stuff that I wasn't asking for.

11 Q. That's a good point. What percentage of what was in  
12 Maryland, I'm talking about furniture and personal  
13 items, what percentage do you think Tony brought you,  
14 50 percent, 80 percent, 90 percent?

15 A. I don't know. All I wanted was the stuff on that list,  
16 and that's all he was supposed to give me. It wasn't  
17 for him to decide, it wasn't.

18 Q. It was for you to decide?

19 A. No. I made a list of requests. Brisbois said give her  
20 that stuff, and that was the stuff – to take us back  
21 even further, into the most glorious year of my life,  
22 being sarcastic, when I went to – my mom and I went to  
23 Maryland on the 27<sup>th</sup> of December, 2012, to get this  
24 stuff that I was supposed to have, remember? And mom  
25 and I get a rental truck, we go there, and they won't

1 give us any of it. They won't give us our stuff.

2 Tony's got what he decided I can have, not the stuff  
3 that's on the list that Borchard said, "Give her the  
4 stuff on the list, be done with it." We went – I  
5 don't want to get into it.

6 Q. You went with your mom, and his parents were there;  
7 correct?

8 A. His dad was there.

9 Q. And you went – I don't know, did you have to go to the  
10 second floor in an elevator or something?

11 A. Yeah.

12 Q. And then you got up there, why didn't you at least take  
13 what was there that they said you could take?

14 A. It's not for them to say.

15 Q. He was trying to give you stuff you didn't ask for?

16 A. All I wanted at that point, because my kids were going  
17 to be off for two weeks, all I wanted at that point was  
18 to have their beds and their rooms made up, so when  
19 they came home, they would feel comfortable in their  
20 new home, and he wouldn't give me my kids' beds that he  
21 was supposed to give me. The beds, their linens, you  
22 know, beds, their comforters.

23 Q. What was he trying to give you?

24 A. Oh, Mr. Demetriou, he was trying to give me like boxes  
25 of books.

1 Q. Your books, your – you mean your university books?

2 A. Just a bunch – you know what it was, it was when we  
3 moved into the condo, we rented a storage unit, and we  
4 started putting like all the crap we didn't want in  
5 there, and that's what was in there. Then my card  
6 table, like a round card table, roll table for playing  
7 cards with four roll chairs, that was in there.

8 Q. Where was the stuff at the time you went to Maryland  
9 with your mom, where was the stuff you wanted to bring  
10 back?

11 A. Not wanted, I had a court order to come back.

12 Q. Where was it?

13 A. In the condo, in the apartment.

14 Q. And you were allowed to go into the condo, I  
15 understand, you decided you didn't want to?

16 A. Oh, no, Rick wouldn't let me. He was gone, he never  
17 showed up. Here's my mom and I with a rental truck,  
18 I've hired two guys and gave those two guys \$300 cash  
19 to help me move all this stuff into the van. We've got  
20 a snowstorm coming, which we had to drive through  
21 Pennsylvania in a rental truck. Rick Calice is there,  
22 and he walks up and he's like, "Do you have Mia's blue  
23 – purple backpack?" I was like, "Let me in the house  
24 and let me get my stuff, the clock is ticking."

25 Q. You're saying he was not – would not let you in the

1 house?

2 A. He wouldn't let me in the house. Do you know that,  
3 Mr. Demetriou? And then he made a false statement  
4 about me swearing. And I said one swear word, it was  
5 not directed at him.

6 Q. Did you tell Mr. Calice's father, "You're liars, I know  
7 all you Calices are liars," and your mother had to tell  
8 you, "Melissa, calm down." Did that happen?

9 A. I don't remember.

10 Q. So it could have happened; right?

11 A. I don't know. I would never make a generalized comment  
12 about a whole group of people like that. I love  
13 Rebecca and I love Rob. I want to love Ann again  
14 someday. I'm going to have a harder time with Greg.  
15 They were my family for seven years.

16 Q. I know. I expect that Tony's going to testify when we  
17 go see Mr. Bach, or if we have to have a trial, God  
18 forbid, that you guys were in a financial crisis almost  
19 from day one in your marriage because you didn't really  
20 know how to run the household?

21 A. He can say whatever he wants.

22 Q. That's not true?

23 A. I've been taking care of myself since I was 18.

24 Q. Okay. Did you bounce checks?

25 A. We already talked about this. I'm sure I did.

- 1 Q. Okay. Why would you do that?  
 2 A. Why would people make a mistake?  
 3 Q. How many did you bounce?  
 4 A. No clue.  
 5 Q. Was that an issue with Tony? Did he say, "Why are you  
 6 bouncing checks, why did we get a shutoff notice from  
 7 the utility company?"  
 8 A. Tony has lots of issues. I don't know.  
 9 Q. You guys didn't have a discussion about bounced checks  
 10 and stuff like that?  
 11 A. I -  
 12 Q. You don't remember?  
 13 A. I don't know.  
 14 Q. Do you remember getting a shutoff notice because the  
 15 utility bill wasn't paid?  
 16 A. No. In my life have I had a shutoff notice because I  
 17 forgot to pay a utility bill? Sure.  
 18 Q. As I understand your position, we talked about this in  
 19 front of Judge Borchard, you are refusing to file a  
 20 joint return with Tony for the unpaid taxes which I  
 21 guess could be close to \$80,000?  
 22 MR. MCLEOD: Which year, Mr. Demetriou?  
 23 BY MR. DEMETRIOU:  
 24 Q. I think it's for 2012.  
 25 A. That was his business, his job.

- 1 A. And I would have nothing to do with what he chose to  
 2 not pay. He does need to pay his quarterly taxes.  
 3 Q. We're going to get to that. So he had FEI income, and  
 4 FEI gave him a net paycheck. They didn't give him a  
 5 gross paycheck; correct?  
 6 A. I have no idea.  
 7 Q. You don't have any idea?  
 8 A. Nope. Net and gross, net is what you get to keep,  
 9 right. Gross is what you get to keep?  
 10 Q. Then the consulting income, where you said last time -  
 11 it was sometimes direct deposited, you would send out  
 12 an invoice, you said?  
 13 A. Tony asked me to invoice, because he was not getting  
 14 checks because he wasn't invoicing.  
 15 Q. Okay.  
 16 A. And so we got this - I have a copy of - like an  
 17 example somewhere. It's like Xolo, and I would type in  
 18 this is the hours that he worked, this is what he did,  
 19 and I would send it off.  
 20 Q. Okay.  
 21 A. And it would take me 85 times, because it was hard and  
 22 I didn't know how to do it.  
 23 Q. So the checks would come and you would deposit them in  
 24 the PNC account?  
 25 A. Yeah. They come in the mail, "Tony, check came."

- 1 MR. MCLEOD: The question was, you don't  
 2 want to file a joint -  
 3 THE WITNESS: I'm not filing, uh-uh.  
 4 BY MR. DEMETRIOU:  
 5 Q. No? That's because the taxes weren't paid on the  
 6 business income; correct?  
 7 A. I don't know. That's his issue. I don't know anything  
 8 about that except for what you guys have said.  
 9 Q. Okay. And so there's unpaid taxes, and when you were  
 10 working in Maryland - you worked in Maryland in 2012?  
 11 A. Yeah.  
 12 Q. And your taxes were withheld from your check?  
 13 A. Okay.  
 14 Q. Correct?  
 15 A. I think. I could go back and look at my 2012 - I  
 16 don't really look at that stuff. If Fred Gardner tells  
 17 me to sign it, I sign it.  
 18 Q. Let's say you were making \$40,000 in Maryland.  
 19 A. Forty-five.  
 20 Q. Forty-five, you would get a check that would show taxes  
 21 being withheld, wouldn't you?  
 22 A. Yeah, yes.  
 23 Q. The taxes from your job were withheld? You don't have  
 24 to worry about paying the IRS from what you made,  
 25 because -

- 1 Q. Was that the PNC account that you put your student loan  
 2 money?  
 3 A. No, it was Calice Consulting.  
 4 Q. It was another one?  
 5 A. Uh-huh.  
 6 Q. That was PNC Bank also?  
 7 A. Uh-huh.  
 8 Q. That money was used for what?  
 9 A. I don't know. I didn't have any control over the  
 10 disbursement of that money.  
 11 Q. If I told you that Tony's going to say it all went for  
 12 family expenses, would you agree?  
 13 A. Absolutely not. I have no idea where all that money  
 14 went that year.  
 15 Q. Absolutely not, you wouldn't agree?  
 16 MR. MCLEOD: She just said she wouldn't  
 17 agree.  
 18 BY MR. DEMETRIOU:  
 19 Q. Where do you think the money went?  
 20 A. There's so many things about this I don't understand.  
 21 That's one of them.  
 22 MR. MCLEOD: Join the club.  
 23 BY MR. DEMETRIOU:  
 24 Q. Okay. Let me give you a hypothetical. If, in fact,  
 25 Tony says he used the money to pay family expenses, do

- 1 you think then you should pay part of that tax that's  
2 owed to the IRS from the consulting income?  
3 A. I have my job, he had his job. No.  
4 Q. But you had joint expenses; correct?  
5 A. From his – hey, I have no control over what he does at  
6 his job. That's his job, whether it's his or not.  
7 What if I was braiding hair? He's not responsible for  
8 my hair braiding job. No, I don't have one bit of  
9 responsibility in that. That's his job.  
10 Q. If he used his Calice Consulting income for family  
11 expenses, that was his decision, and he didn't have to  
12 do it; is that what you're saying?  
13 MR. MCLEOD: You're saying  
14 hypothetically?  
15 THE WITNESS: I don't know how to  
16 answer. The question sounds like fantasyland. What if  
17 I had purple hair? I don't know. It seems like a  
18 stretch.  
19 BY MR. DEMETRIOU:  
20 Q. A stretch, okay. Would it be a stretch if he  
21 testifies, "I used that money for family expenses"?  
22 A. I can't make him testify – I can't – come on, I don't  
23 know how to answer that.  
24 Q. So you were totally disassociated from family finances,  
25 is that what you're telling us?

- 1 A. I'm not going to say something as generalized as that,  
2 especially with what I said last time we were in here.  
3 Q. Okay. What did you spend your money on from your  
4 salary in Maryland?  
5 A. I gave it to Tony. I was a horrible example of how a  
6 woman should be in a marriage with money. I had people  
7 telling me that all the way through. They were shaking  
8 their heads at me, dumb, dumb, dumb. I would never  
9 ever advise my daughter, my nieces to be such a dumb  
10 ass.  
11 Q. What, to share income in a marriage would be – make  
12 you a dumb ass?  
13 A. No, just not knowing, here's my check. I'll never  
14 forget, the first time I got my check for my first job  
15 with my Master's degree, he laughed at it, and not in a  
16 cute way. He mocked me and was condescending and  
17 laughed at it.  
18 Q. Do you know when you were in Maryland how much you guys  
19 needed per month to pay bills?  
20 A. I think it was about – well, I don't know. I know  
21 that I tried – I tried to figure it out. I'm not  
22 going to repeat myself, because we talked about it the  
23 last time. But it was about, I don't know, five or  
24 6,000 maybe.  
25 Q. Per month?

- 1 A. Well, we had that Royal Oak property, yeah, and the –  
2 we were renting that apartment that was just  
3 ridiculously expensive.  
4 Q. Did you guys spend – have to spend \$39,000 at some  
5 point over that Royal Oak property because you had bad  
6 tenants, had to make repairs or whatever?  
7 A. Darren McCarthy from the Red Wings.  
8 Q. Darren McCarthy?  
9 A. Darren McCarthy from the Red Wings.  
10 Q. He trashed your place?  
11 A. Tony let him rent our house.  
12 MR. MCLEOD: The question was \$39,000?  
13 THE WITNESS: I don't know if it was  
14 \$39,000, because he ran that whole thing. I don't know  
15 how much it was. He ran the money, I don't know, but I  
16 know I was – I remember hearing like \$10,000 at one  
17 point. I don't know, though. Okay.  
18 BY MR. DEMETRIOU:  
19 Q. If you don't know, you don't know.  
20 A. I don't.  
21 Q. Okay. So if I understand your position, you don't want  
22 to file the joint tax return because you believe that  
23 the outside income wasn't used for family expenses?  
24 A. Are you talking about 2012?  
25 Q. I'm talking about 2012, because that's apparently where

- 1 the tax liability comes from.  
2 A. Well, I don't – well, it happened. How can say I  
3 don't want to when it happened? I filed taxes and  
4 claimed the kids and myself, because at that – at that  
5 snapshot and from August on, it was me and the kids,  
6 and I was the head of the household, right? Is that  
7 what we're talking about?  
8 Q. I'm talking about 2012.  
9 A. I'm answering it.  
10 Q. You claimed the kids?  
11 A. Because they lived with me.  
12 Q. Even though they lived with their dad for eight months  
13 of 2012?  
14 A. No. Well –  
15 Q. You guys moved there October of 2011, right? Correct?  
16 A. Yes.  
17 Q. And then you left August 1, so they were seven months  
18 let's say with their dad.  
19 MR. MCLEOD: Let's say seven months with  
20 both parties.  
21 THE WITNESS: I was the primary  
22 caregiver. Well, it doesn't matter. I don't know,  
23 man. April 2013, I was head of household, and I had  
24 been head of household for almost a year, sometimes  
25 getting money from him, sometimes not get money from

- 1 him.
- 2 **BY MR. DEMETRIOU:**
- 3 Q. So what you're saying is if it comes out that Tony can
- 4 prove to Mr. Bach's satisfaction or the Judge's
- 5 satisfaction that his consulting income was used for
- 6 family expenses, you still do not want to file a joint
- 7 return with Tony for 2012?
- 8 A. That would be something – okay. You could be asking
- 9 me about physics right now or something in Chinese. I
- 10 don't know, this is not my skill-set. That's why I
- 11 have Tim.
- 12 **MR. MCLEOD:** The answer is I don't know?
- 13 **THE WITNESS:** That's why I have Fred
- 14 Gardner. I'm smart in a lot of ways, in other ways,
- 15 I'm probably like retarded.
- 16 **BY MR. DEMETRIOU:**
- 17 Q. What you're saying is you don't know?
- 18 A. I don't know.
- 19 Q. Now, during your marriage, do you believe that you and
- 20 Tony honestly reported your income to the IRS?
- 21 A. Oh, I don't know what he's done with the income and the
- 22 IRS. It makes me very nervous. As I said last time,
- 23 that is part of the reason that I wanted to not be with
- 24 him anymore, because I don't think he's honest, I think
- 25 he will lie.

- 1 Q. You think he would lie to the IRS about his income?
- 2 A. Yeah. Oh, yeah.
- 3 Q. Yeah, oh, yeah?
- 4 A. Yeah. That's a silly question.
- 5 Q. You said something before about – we asked you about
- 6 this, about Tony was trying to find a way not to pay
- 7 taxes. I asked you about tax avoidance and tax
- 8 evasion, I guess you didn't really know the
- 9 distinction. But did you say that – or do you believe
- 10 that Tony hired a CPA in Florida that was going to help
- 11 him cheat the government?
- 12 A. I'll repeat what he said to me.
- 13 Q. Okay.
- 14 A. He said he was talking about – I think it was his
- 15 friend, Greg, how Greg had a – I hope this doesn't
- 16 seem offensive, Florida Jew, you've got to get a
- 17 Florida Jew, I'm going to get a Jew in Florida.
- 18 Q. To do the taxes?
- 19 A. Yeah. And then that was around the time where I was
- 20 hearing him saying things like pigs get fat, hogs get
- 21 slaughtered.
- 22 Q. And that was in the context of paying taxes?
- 23 A. Yes.
- 24 Q. And so did you believe that Tony had the feeling that a
- 25 Jew – a Jewish CPA would help him cheat the

- 1 government?
- 2 A. That's what I inferred.
- 3 Q. That's what you inferred from the way he said what he
- 4 said?
- 5 A. Just – those are two examples, yeah.
- 6 Q. Okay.
- 7 A. And I was very, very uncomfortable. I mean, I know
- 8 people who live in Saginaw, who spent some time in the
- 9 clunker. You go to jail when you don't pay your taxes.
- 10 Why was he not paying his quarterly taxes? Why didn't
- 11 he pay his quarterly taxes? I'm like, I have no idea.
- 12 Q. Would you agree in all the other years when he had
- 13 outside consulting income and he was handling the
- 14 outside income, that he always paid the quarterly
- 15 estimates or the yearly taxes on time? Would you
- 16 concede that?
- 17 A. I would not.
- 18 Q. You would not admit to that?
- 19 A. I don't – now, listen, once again, that kind of stuff
- 20 I find intimidating and it freaks me out and stresses
- 21 me out, because I don't know. But I know that he was
- 22 not paying his taxes on time, because I remember we
- 23 would have the little sheet thing. There have been
- 24 issues with him not paying his taxes on time before.
- 25 Q. Before 2012?

- 1 A. Yes.
- 2 Q. And you're saying that as it related to the outside
- 3 income?
- 4 A. Yeah. The consulting, yes.
- 5 Q. That's what I meant.
- 6 A. What I'm saying is 2012 was not an outlier.
- 7 Q. Okay. Let's talk about Christmas 2013. Why didn't you
- 8 go to Maryland and bring the kids back? I'm talking
- 9 about when they were supposed to come back from their
- 10 Christmas break?
- 11 **MR. MCLEOD:** Respond to Mr. Demetriou
- 12 and tell him the story. Don't go back to the sandbox.
- 13 I think he's asking you what happened.
- 14 **THE WITNESS:** Tony and I had a brief
- 15 period of time where we were kind of starting to
- 16 communicate after that November, you know, I felt like
- 17 things were getting more peaceful and calming down.
- 18 **BY MR. DEMETRIOU:**
- 19 Q. Okay.
- 20 A. And he actually sent me – I can't remember whether it
- 21 was a text or e-mail. He said, Southwest has a sale,
- 22 if you – you know, if you jump on it tonight and get
- 23 these tickets, you'll save money. That's really nice,
- 24 good, we're making some progress here. And then he let
- 25 me know that they were able to fly unassisted minor.

1 Now, when I was their age, I flew as an unassisted  
2 minor. My sister – I went to Florida. One grandma  
3 takes me to the airport, the other grandma picks me up  
4 at the airport. That was with a layover, too.

5 Sarah, my sister, when she was seven,  
6 eight, she flew from Metro to Arizona. In our family  
7 culture, it sounds silly to say culture, that's  
8 something we've done. I thought, yeah, I could – I'll  
9 do that, and it's an extra 50 bucks. Tony walks into  
10 the gate, puts them on a plane, and I'm at the other  
11 side of the gate. And he was the one that suggested  
12 it.

13 Q. How did he communicate that to you?

14 A. I believe a text and e-mail, I guess. You're not  
15 waiting for me, are you?

16 Q. Yeah.

17 A. Oh, no, I'm done.

18 MR. MCLEOD: Continue on with your  
19 narrative. You are suggesting that – you have to move  
20 forward from there.

21 THE WITNESS: He suggested it, I bought  
22 the tickets, southwest tickets, one for Rocco, one for  
23 Mia, BWI to Flint, Michigan, direct flight, paid the  
24 extra 50 bucks per child, so they would have  
25 basically – they're going to take responsibility for

1 were tickets on the plane. So there would have been  
2 space – if he was so concerned, he could have gotten  
3 on the plane with them.

4 Q. Which he did.

5 A. A week later.

6 Q. He did?

7 A. After he oppositionally kept the kids for a week.

8 Q. Are you saying –

9 A. And scared the crap out of them with what he said to  
10 them, too, by the way.

11 Q. Are you saying that at Southwest Airlines – or someone  
12 from Southwest Airlines said the kids could fly with  
13 expired I.D.'s?

14 A. I'm not saying that.

15 Q. Okay. If Tony can prove that they needed current valid  
16 I.D., my question is did you think he had other I.D.  
17 for the kids that was valid?

18 A. He's their co-parent. I would assume he would have  
19 something. I don't know. What's an I.D. for a child?

20 Q. Well, I don't know. What did you have as far as I.D.  
21 for your kids?

22 A. As far as I.D., I mean, they were going to – they were  
23 going to put the kids on the plane.

24 Q. Who is they?

25 A. The people at Southwest.

1 the children. They're going to –

2 BY MR. DEMETRIOU:

3 Q. What did you understand the rules to be for Southwest  
4 Airlines for kids to fly unaccompanied?

5 A. Over five. I don't know. I mean, I knew. I can't  
6 recite them right now. I knew we were going to be  
7 okay.

8 Q. All right. But were you aware that they would have to  
9 have current I.D.?

10 A. First of all, I inferred that he, since he was the one  
11 that suggested it to me, that he would know everything  
12 that needed to happen. Second of all, as – he has  
13 I.D. for them.

14 Q. Expired I.D.; correct?

15 A. What's a current I.D. for a five-year-old? I mean, I  
16 don't know.

17 Q. If the airline says you have to have current, not  
18 expired I.D., don't you think –

19 A. Mr. Demetriou, I explained the whole thing to, you know  
20 the customer relations person at Flint Bishop, and then  
21 their corporate number, I talked to them, too. I gave  
22 her all the information, you know, talked about I.D.,  
23 talked about permission, parenting, all that stuff, and  
24 she – she's written me a letter that says there's no  
25 reason they couldn't have been on the plane. There

1 Q. Didn't he write you and say, "Don't do that, I don't  
2 want them flying unaccompanied?"

3 A. Mr. Demetriou, come on, you have to see what's going on  
4 here. You're a good, reasonable man. You have to see  
5 what's going on.

6 MR. MCLEOD: Melissa, please just try to  
7 answer the question.

8 BY MR. DEMETRIOU:

9 Q. Thank you for the compliment.

10 A. It was – so he said, "this is – do this, this is a  
11 good idea." I said, "Okay. I'll do that. That's a  
12 good idea." And then all of a sudden, nope, I'm not  
13 going to do it, after I bought the tickets. Now, we  
14 have a list of demands. He's trying to play cat and  
15 mouse with me. "No, Melissa, you can either give me  
16 your credit card and I'm going to fly them home or  
17 you're going to fly them home, I'm not giving them back  
18 to you." That's not his choice to make. I provided  
19 transportation for them, and he declined it, after  
20 getting into my daughter's brain and completely  
21 manipulating her.

22 Q. To do what?

23 A. To be scared of flying by herself. Those kids, when  
24 they got off that plane, they thought – well, first of  
25 all, he went through this whole charade January 5<sup>th</sup>.

- 1 I hear my kids in the background. He's like, Mom's  
2 coming, mom's coming, mom's coming to get you." And  
3 I'm saying, "Tony, put them on the plane. Tony, put  
4 them on the plane." And he's telling –  
5 Q. Is this on the phone you're having this dialogue?  
6 A. And I'm blasting down -75 south with my mom and my  
7 step-dad, and he's telling them I'm coming to get them.  
8 I'm saying, "Put them on the plane." So in Rocco and  
9 Mia's mind, their mom is coming to get them. And then  
10 what do you say to Rocco and Mia when their mom doesn't  
11 come and get them. So by the time I did get them back  
12 a week later, they were so confused. "Mom, why would  
13 you want us to land in the middle of a corn field?  
14 Mom, what if we had to land and we got lost?" These  
15 were not child fears, they were fears that he put into  
16 their head. It's all manipulation, and he uses them as  
17 pawns.  
18 Q. Well, do you do that?  
19 A. Heck no.  
20 Q. Okay.  
21 A. Absolutely not. No, I protect them as best I can.  
22 Q. Did you ever tell your daughter that sometimes it's  
23 okay for mommies to lie to get their children?  
24 A. No, I did not.  
25 Q. You would not have told your daughter that?

- 1 A. No, I would never tell a concrete five, six,  
2 seven-year-old that it's okay to lie. Concrete means  
3 black and white, literal. I would never do that.  
4 Q. So when he told you he wasn't going to put the kids on  
5 the plane unaccompanied, why didn't you go then to  
6 bring them back?  
7 A. So many responses to that. Do I just go for it? It's  
8 layered, my answer is layered. I mean, do I just –  
9 it's not a yes or no question. Why didn't I go and get  
10 them?  
11 Q. Uh-huh.  
12 MR. MCLEOD: That was the question. I  
13 thought you already answered it. Maybe you need to  
14 highlight your answer.  
15 THE WITNESS: Well, if I already  
16 answered it, I don't think I need to repeat myself.  
17 BY MR. DEMETRIOU:  
18 Q. Okay.  
19 A. I provided transportation.  
20 Q. Let's assume, Ms. Calice, that he sent you something  
21 that seemed to indicate to you it was okay for them to  
22 go unaccompanied. Let's assume that.  
23 A. I have it in here, yes.  
24 Q. Let's assume you wanted them to fly unaccompanied back  
25 from Maryland to Michigan.

- 1 A. I did, because I bought them tickets.  
2 Q. I understand that.  
3 A. You can call me Melissa, don't call me Mrs. Calice.  
4 Q. And then Tony writes you, for whatever reason, whether  
5 it's to set you up or because he's a jerk or he's mad,  
6 he writes you and says, "I don't want them  
7 unaccompanied, there's snowstorms all over the midwest  
8 blah, blah blah." And then you say, "I want them  
9 unaccompanied." And then he says, "I don't care what  
10 you want." So, why didn't you then go and bring them  
11 back?  
12 A. He didn't tell me on the phone. I'm going – to back  
13 it up. He didn't tell me on the phone. I know there  
14 was an e-mail at one point where we started talking  
15 about this. But this conflict was introduced to me on  
16 face time with Rocco and Mia right there. And anytime  
17 I have communication with my kids, face time,  
18 speakerphone, he's always there, he's always  
19 interrupting, he's always interjecting. I'll ask the  
20 kids a question, I can see them going and then they'll  
21 answer me. His presence is very much affecting the  
22 communication between me and the kids.  
23 Q. He says you did the same thing when you first got to  
24 Michigan.  
25 A. Oh, of course.

- 1 Q. You and your mom would cut off the face time; is that  
2 true?  
3 A. No.  
4 Q. That never happened?  
5 A. No. That happened one time. You know what, it  
6 happened one time. I'll tell you when it happened,  
7 Mr. Demetriou, if you'll allow me to. I was –  
8 Q. Go ahead.  
9 A. Let me back it up by saying, when we came back to  
10 Michigan, I was so respectful of their relationship  
11 with their dad until he started doing some really,  
12 really dysfunctional maladjusted things that I knew was  
13 causing emotional and spiritual damage to those kids.  
14 Here's an example of the one time that I hung up on  
15 him. Not between he and I, I've hung up on him a bunch  
16 of times, but where the kids were involved.  
17 We were going to a party at the  
18 Johnstons' in the back yard, little Bella Johnston was  
19 having a birthday party, and I think Tony assumed that  
20 Mia had the iPad by herself in my mom's library. And  
21 she was saying, "Daddy, why – why are we in  
22 Michigan" – granted this is almost two years ago, I'm  
23 having to probably paraphrase a little bit. "Daddy,  
24 why are we in Michigan when you're in Maryland?" He  
25 said, "Well, honey, mom's very sick. Mom's not okay,

- 1 mom's very sick. The way she thinks is not healthy,  
 2 and she needs to be back by her mom to get better.  
 3 Don't worry, you're safe, I'm going to come and get  
 4 you. You won't be there for too much longer, just  
 5 wait. Mommy is sick." And I was like –  
 6 Q. This is on face time?  
 7 A. (Nods head).  
 8 Q. And you heard this?  
 9 A. Yes. I heard – oh, yes, I heard that. And I – I was  
 10 like, what does that say to a then four-year-old about  
 11 her safety and who do I believe, my mom or dad, and if  
 12 something's wrong with one parent, that means something  
 13 wrong with half of me? And I walked right over and  
 14 unplugged the internet, because what he was saying was  
 15 not okay.  
 16 Q. And during this time, during this snowstorm, were you  
 17 guys communicating on Family Wizard, or just exchange  
 18 of e-mails or what?  
 19 A. Preceding the snowstorm and all of that, I lost my  
 20 iPhone. I lost my iPhone on I think January 4<sup>th</sup>, so  
 21 I had to like hurry around and get like a new phone.  
 22 So any communication that came to me on that iPhone  
 23 after like 3:00 in the morning on the 4<sup>th</sup>, I wouldn't  
 24 have had, but we were communicating – I think Yahoo, I  
 25 don't think Family Wizard at that point, but Yahoo –

- 1 yeah, Yahoo account and text messaging.  
 2 Q. Okay.  
 3 A. I could be mistaken about the Family Wizard.  
 4 Q. What did you do with the tickets that you bought for  
 5 the kids for Christmas? Did you cash them in?  
 6 A. Cash them in?  
 7 Q. Yeah. What happened with the tickets?  
 8 A. They just went away. They didn't get used.  
 9 Q. You lost the money?  
 10 A. Yeah.  
 11 Q. How much?  
 12 A. You know, I don't have the figure off the top of my  
 13 head, because it's upsetting, and I try to ignore  
 14 things that are upsetting. I think it's about \$400,  
 15 \$500.  
 16 Q. Okay. Did the kids miss school?  
 17 A. Yep.  
 18 Q. How much?  
 19 A. I believe with the snow days, it was two days. Mia  
 20 missed her Christmas party, which she was super excited  
 21 about.  
 22 Q. So, it really didn't hurt them academically to miss a  
 23 couple of days?  
 24 A. Well, school isn't just academic. There's the social  
 25 piece of school that's very, very important, and I

- 1 would think that would be a negative, negative impact  
 2 on her. I know – I do, I think the first couple of  
 3 days of school after a break like that, it's about  
 4 reestablishing routines and getting – basically  
 5 getting the wiggles out so you can get back to  
 6 business. I will not say that it wouldn't impact them.  
 7 Those first couple days after a big  
 8 break like that, the first couple of days into the  
 9 school year, those are especially crucial for  
 10 establishing routines.  
 11 Q. Kids miss school all the time and it doesn't seem to  
 12 bother them, would you agree with that? You're an  
 13 educator.  
 14 A. I'm a social worker that works in education.  
 15 Q. You don't agree with me?  
 16 A. Ask it again, because I can see where you're going with  
 17 this. I know where this is going.  
 18 Q. Where do you think I'm going?  
 19 A. To the golf course at 1:00.  
 20 Q. You're right about that. You said something truthful  
 21 today, that's for sure.  
 22 You wrote to Tony in November, and I'm  
 23 scurrying around trying to find it. You wrote him and  
 24 said you want to take them out of school around  
 25 Thanksgiving, it was no big deal, academics wasn't all

- 1 that important –  
 2 A. I offered –  
 3 Q. Right.  
 4 A. I'm not going to agree to exactly what you said. I  
 5 offered – because remember, this is around the time we  
 6 were starting to have – it was just starting to not  
 7 feel so assertive. I was trying to do a switcheroo  
 8 with him, so I could have more time at Christmas or  
 9 something. And Monday and Tuesday before Thanksgiving,  
 10 a lot of people will go away for a week and take their  
 11 kids out.  
 12 Q. Right.  
 13 A. Now, there's a qualifier there. That is before a  
 14 break. After a break, different business at school.  
 15 But before a break, the two days before a break,  
 16 academics are – they're not going to be introducing  
 17 new concepts. Teachers know that's kind of, you know,  
 18 let's have some Thanksgiving parties and have a play or  
 19 something. I'm just – I'm not saying they were doing  
 20 that. I'm qualifying what I said.  
 21 Q. I hear you.  
 22 A. I wouldn't make the generalized statement.  
 23 Q. I hear you.  
 24 A. Yeah.  
 25 Q. Did the kids miss much school in the 2013-2014 academic

- 1 year?
- 2 A. Tony is advocating that they did.
- 3 Q. Do you agree, did they miss a lot of school?
- 4 A. No, I do not think they missed a lot of school.
- 5 Q. What would they have missed school for?
- 6 A. Well, they're little, so sick.
- 7 Q. Okay.
- 8 A. Sandy Pfander, I mean, she – if you want to have a
- 9 good solid eval. In Saginaw County, you go to Sandy
- 10 Pfander. In order to go to Sandy Pfander, we had to do
- 11 some like 2:00 appointments. Now, if you miss the
- 12 first half an hour of school or last half an hour of
- 13 school, you get a half day absence, which looks like an
- 14 absence.
- 15 Q. Okay.
- 16 A. If you know the detail of it, it's not we were like
- 17 let's go to Florida, let's sleep in all day. No, I
- 18 work full-time.
- 19 Q. Okay. The e-mail I was referring to was on 11-7-13.
- 20 You wrote to Tony wanting to switch.
- 21 A. Yeah.
- 22 Q. On November 27<sup>th</sup> and November 28<sup>th</sup>, two days during
- 23 the holiday break?
- 24 A. Yeah.
- 25 Q. And you wanted to trade days or something to go up

- 1 north with your mom, I guess?
- 2 A. I wanted him to give me two days at his discretion, but
- 3 I wanted them to come home two days early so we could
- 4 start to reestablish routines before they – you know,
- 5 they get home at 6:00 after a long vacation with their
- 6 dad and hit the ground running the next morning, that
- 7 is not good for them.
- 8 Q. What you wrote Tony, I'm looking at it, you can look at
- 9 it if you want. "I know a lot of families choose to
- 10 pull their little ones out of class on a Monday and a
- 11 Tuesday," and you said before Thanksgiving. "I don't
- 12 have a problem with that this year as academics aren't
- 13 super stringent yet."
- 14 A. Well, I could see how that could be misread with me
- 15 saying I don't think academics are important, and I
- 16 would like to clarify that. I think academics are very
- 17 important.
- 18 Q. I'm only trying to point out that Tony believes you
- 19 have a double standard. If the kids miss school
- 20 because of something he's done, it's the end of the
- 21 world. If you want to go on vacation, academics aren't
- 22 important.
- 23 A. You can say that all you want, but that's the most
- 24 foolish thing – not from you – that concept, that
- 25 doesn't hold any water. Right there, I'm saying, Tony,

- 1 it's two days before vacation. How could that be a
- 2 double standard if he – I'm offering to work with him
- 3 and kind of like, well, this one year if you want to
- 4 take them, then you could have them for the whole week.
- 5 Do you understand what I'm saying?
- 6 Q. I do.
- 7 A. For him to refuse to bring the children home basically
- 8 emotionally terrorized them by making them think their
- 9 mother won't come and get them. They said, "Mom, we
- 10 didn't know if we were ever coming home. We didn't
- 11 know if we were going to see you again." That's what
- 12 they've said to me on two occasions when they've come
- 13 home from Maryland. Do you know what that does to a
- 14 little kid?
- 15 Q. Do you think that when you took the kids in August and
- 16 wouldn't let Tony or his parents see the kids until
- 17 October, don't you think they missed their father and
- 18 wondered if they would ever see their father?
- 19 A. You only have one set of information, Mr. Demetriou. I
- 20 tried to get –
- 21 Q. At your mother's home with you and your mom watching;
- 22 correct?
- 23 A. We wouldn't do that, but once I saw how he was
- 24 behaving, I didn't trust that he wouldn't steal them
- 25 and take them out of the state.

- 1 Q. That's what you did.
- 2 A. That's what you keep saying, but the Judge didn't agree
- 3 with you.
- 4 Q. Okay. So you left and you told Tony you were coming
- 5 back. You admitted twice now that you never intended
- 6 to come back. What do you call that?
- 7 A. I don't know that you know all of this man, but look at
- 8 the way he's acted since I left. Two years now, and he
- 9 is still saying the same things, just as angry. He –
- 10 oh, my God. I did not feel safe with him. I did not
- 11 feel safe with my children in Maryland with him, and I
- 12 knew there was no way he was going to let us go.
- 13 Q. Then why didn't you go to court and get permission in
- 14 Maryland to go if you were so hot to trot and come back
- 15 to Michigan? Why did you just skip out?
- 16 A. We had an agreement that we were going to move back to
- 17 Michigan.
- 18 Q. As a family; correct?
- 19 A. You know what, he's the one that said that part. He's
- 20 the one that said that part. I never said as a family.
- 21 Q. Well, he never said you can take the kids and leave
- 22 Maryland anytime you want and the hell with me, did he?
- 23 I don't see anything so far that –
- 24 A. No, he didn't say that.
- 25 Q. But you did it anyway, you left anyway?

- 1 A. Absolutely, yeah.  
 2 Q. Okay.  
 3 A. And you don't have all the information. Sometime I  
 4 would love to sit down and talk to you, Mr. Demetriou.  
 5 MR. MCLEOD: That's enough.  
 6 MR. DEMETRIOU: If I can talk to Tony  
 7 for a few minutes.  
 8 THE WITNESS: Can we just be done with  
 9 this?  
 10 MR. MCLEOD: I think we're about done.  
 11 I think we're about done right now.  
 12 MR. DEMETRIOU: I need to talk to Tony  
 13 first.  
 14 (Recess; 11:38-11:47 a.m.)  
 15 MR. DEMETRIOU: Back on the record.  
 16 Melissa is still under oath.  
 17 BY MR. DEMETRIOU:  
 18 Q. Do you smoke?  
 19 A. I do not smoke tobacco cigarettes. I smoke an  
 20 E-cigarette.  
 21 Q. Is that okay to smoke those in front of the kids?  
 22 A. I don't think - it's different, but you don't have  
 23 secondhand smoke with it?  
 24 Q. You don't?  
 25 A. No.

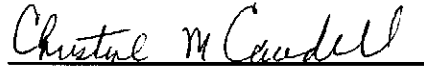
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- 1 Q. Okay. Tony tells me not that long ago he got a call  
 2 from somebody that said they were American Airlines.  
 3 A. Uh-huh.  
 4 Q. And that he texted you American Airlines was trying to  
 5 get ahold of you.  
 6 A. Yeah.  
 7 Q. Did you fly on American Airlines around - at any time  
 8 since January of this year?  
 9 A. It might have been, yes.  
 10 Q. Where did you go?  
 11 A. Why does it matter?  
 12 Q. I'm sorry?  
 13 MR. MCLEOD: Tell him.  
 14 THE WITNESS: I went to Colorado. For  
 15 spring break, I went to Colorado.  
 16 BY MR. DEMETRIOU:  
 17 Q. Did the kids go with you?  
 18 A. For spring break?  
 19 Q. You went on spring break to Colorado?  
 20 A. Yeah.  
 21 Q. While he had the kids?  
 22 A. Yeah.  
 23 Q. Another question.  
 24 A. I went to Chicago, too.  
 25 Q. You said there was - the last time we were here, there

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- 1 was alcoholism in your family; correct?  
 2 A. Yeah.  
 3 Q. Do you believe you're an alcoholic?  
 4 A. No.  
 5 Q. Do you have any substance abuse or drug misuse,  
 6 prescription drugs?  
 7 A. No, I don't.  
 8 Q. Have you ever been treated for that?  
 9 A. No.  
 10 Q. You've never been treated for alcohol abuse, substance  
 11 abuse.  
 12 A. No, I have not. I've been treated for anxiety,  
 13 depression, and ADHD.  
 14 Q. You said that.  
 15 MR. DEMETRIOU: That's it.  
 16 MR. MCLEOD: We're finished then.  
 17 (Deposition concluded; 11:49 a.m.)  
 18  
 19  
 20  
 21  
 22  
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 24  
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- 1  
 2  
 3 STATE OF MICHIGAN)  
 4 ) SS  
 5 COUNTY OF GENESEE)  
 6 I, CHRISTINE M. BEARD-CAUDILL, Notary  
 7 Public, do certify that I stenographically recorded the  
 8 examination of MELISSA CALICE, a witness herein; that  
 9 prior to taking deposition, he/she was sworn to tell  
 10 the truth, the whole truth, and nothing but the truth;  
 11 and that the foregoing is a true and correct report of  
 12 his/her testimony.  
 13 I further certify that no request was  
 14 made that the foregoing be submitted to him/her for  
 15 examination, correction and signature.  
 16  
 17   
 18  
 19  
 20 CHRISTINE M. CAUDILL, CSR2339 -  
 21 RPR, RMR.  
 22 Notary Public, Genesee County, MI.  
 23 My Commission Expires: 9-23-19.  
 24  
 25

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